

S. _____

To provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SANDERS, for himself and Mr. Leahy, introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “State Leadership in Health Care Act”.

SEC. 2. EARLIER START FOR STATE HEALTH CARE COVERAGE INNOVATION WAIVERS.

(a) IN GENERAL.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a), paragraph (1), by striking “January 1, 2017” and inserting “January 1, 2014”; and

(2) by amending subsection (e) to read as follows:

“(e) TERM OF WAIVER.—

“(1) IN GENERAL.—No waiver under this section may extend over a period of more than 5 years unless the State requests continuation of such waiver and such request is granted by the Secretary under paragraph (2).

“(2) APPROVAL OF REQUEST.—

“(A) IN GENERAL.—A request under paragraph (1) shall be deemed granted unless the Secretary, not later than 90 days after the date of submission to the Secretary of such request, either denies such request in writing or informs the State in writing with respect to any additional information that is needed in order to make a final determination with respect to the request.

“(B) DENIAL OF REQUEST.—The Secretary may deny such a request only if the Secretary—

“(i) determines that the State plan under the waiver to be continued did not meet the requirements under subsection (b);

“(ii) notifies the State in writing of the requirements under subsection (b) that the State plan did not meet and provides to the State the information used by the Secretary in making that determination; and

“(iii) provides the State with an opportunity to appeal such determination and provide information as to how such requirements were met.

“(C) RECONSIDERATION OF REQUEST.—In the case of an appeal described in subparagraph (B)(iii), the Secretary shall consider any information provided under such clause and reconsider the determination made under subparagraph (B)(i), and shall issue a written decision on such appeal not later than 60 days after the date on which the Secretary receives notice of such appeal. The Secretary shall grant the request if the Secretary determines upon reconsideration that the State plan meets such requirements.”.